

## § 344.6

related to the responsibilities and functions cited in § 344.4.

### § 344.6 Authorities.

The ASD(RA) is hereby delegated authority to:

(a) Act for the Secretary of Defense, in accordance with section 411 of Pub. L. 103-160 and future authorization acts that contain this provision, to increase the authorized end strength for Reserve personnel by not more than 2 percent of the prescribed Reserve personnel end strength, or such other percentage as shall be authorized by statute, when the increase is in the national interest.

(b) Issue DoD Instructions, DoD publications, and one-time directive-type memoranda, consistent with DoD 5025.1-M,<sup>1</sup> that implement policies approved by the Secretary of Defense in assigned fields of responsibility. Instructions to the Military Departments shall be issued through the Secretaries of those Departments. Instructions to the Commanders of the Unified Combatant Commands shall be communicated through the Chairman of the Joint Chiefs of Staff.

(c) Obtain reports, information, advice, and assistance, consistent with DoD Directive 8910.1,<sup>2</sup> as necessary, to carry out assigned functions.

(d) Communicate directly with Heads of the DoD Components. Communications to the Unified Combatant Commands shall be transmitted through the Chairman of the Joint Chiefs of Staff.

(e) Communicate with other Government officials, representatives of the legislative branch, members of the public, and representatives of foreign governments, as appropriate, in carrying out assigned functions.

## PART 345—DEPARTMENT OF DEFENSE SECTION 6 SCHOOLS

Sec.

345.1 Purpose.

345.2 Applicability and scope.

345.3 Mission.

<sup>1</sup>Copies may be obtained, at cost, from the National Technical Information Service (NTIS), US Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161.

<sup>2</sup>See footnote 1 to § 344.6(b).

## 32 CFR Ch. I (7-1-01 Edition)

345.4 Organization.

345.5 Responsibilities and functions.

345.6 Relationships.

345.7 Authorities.

345.8 Administration.

APPENDIX A TO PART 345—DELEGATIONS OF AUTHORITY

AUTHORITY: 20 U.S.C. 2362.

SOURCE: 57 FR 53557, Nov. 12, 1992, unless otherwise noted.

### § 345.1 Purpose.

This part, pursuant to the authority vested in the Secretary of Defense under 20 U.S.C. 2362, establishes the Department of Defense (DoD) section 6 Schools with the mission, organization, responsibilities, functions, relationships, and authorities as prescribed herein.

### § 345.2 Applicability and scope.

(a) This part applies to the Office of the Secretary of Defense, the Military Departments, the Defense Agencies, and the DoD Field Activities, (hereafter referred to collectively as “the DoD Components”).

(b) The schools (pre-kindergarten through grade 12) operated by the Department of Defense within the Continental United States (CONUS), Alaska, Hawaii, Puerto Rico, Wake Island, Guam, American Samoa, the Northern Mariana Islands, and the Virgin Islands.

### § 345.3 Mission.

The mission of the DoD section 6 Schools is to provide a free public education of high quality from pre-kindergarten through grade twelve for eligible dependent children of U.S. military personnel and federally employed civilian personnel, when those children are eligible for an education in DoD section 6 Schools under 20 U.S.C. 2362, 20 U.S.C. 241 note, 32 CFR part 68, and 20 U.S.C. 1400 et. seq., to provide a free, appropriate education for dependents with disabilities, ages 3 through 21.

### § 345.4 Organization.

The DoD section 6 Schools Office is established as an organizational element of the DoD Education Activity (DoDEA), a DoD Field Activity operating under the direction, authority, and control of the Assistant Secretary

## Office of the Secretary of Defense

## § 345.5

of Defense (Force Management and Personnel) (ASD(FM&P)). It shall consist of a Director and such subordinate organizational structures and activities as shall be established by the Director, DoD section 6 Schools, with the resources authorized by the ASD(FM&P).

### § 345.5 Responsibilities and functions.

(a) The Director, DoD section 6 Schools, shall perform all of the duties necessary to organize, manage, fund, direct, and supervise the complete operation of the DoD section 6 Schools. These duties include, but are not limited to, the following:

(1) Serve as the principal advisor and staff assistant to the ASD(FM&P) on matters relating to the DoD section 6 Schools.

(2) Ensure the development of policies and procedures for the operation, management, budgeting (in accordance with guidance provided by the Comptroller, Department of Defense), construction, and financing of DoD section 6 Schools and for DoD section 6 Special Arrangements (as defined in 32 CFR part 68 for eligible dependent children in CONUS, Alaska, Hawaii, Puerto Rico, Wake Island, Guam, American Samoa, the Northern Mariana Islands, and the Virgin Islands, under 20 U.S.C. 2362, 20 U.S.C. 241 note, and 32 CFR part 68.

(3) Ensure the establishment of elected school boards in DoD section 6 School Arrangements operating under 20 U.S.C. 2362 and 20 U.S.C. 241 note. The functions of such school boards shall be to oversee school expenditures and operations, subject to audit procedures established by the Director, section 6 Schools and consistent with 20 U.S.C. 2362, 20 U.S.C. 241 note, and this part.

(4) Ensure that the free public education being provided under this part is, to the maximum extent practicable, comparable to that being provided by comparable public school districts in the State in which the DoD section 6 School Arrangement or DoD section 6 Special Arrangement (as defined in 32 CFR part 68) is located or, if outside of CONUS, Alaska, and Hawaii, as the being provided by the District of Columbia Public Schools.

(5) Ensure the establishment of audit procedures for reviewing funding of DoD section 6 School Arrangements and DoD section 6 Special Arrangements.

(6) Ensure timely and accurate preparation of budget execution reports and full compliance with accounting requirements in accordance with DoD 7220.9-M.<sup>1</sup>

(7) Ensure that nonappropriated funds and related activities of DoD section 6 School Arrangements are reviewed under DoD Directive 7600.6.<sup>2</sup>

(8) Establish guidance for student eligibility for DoD section 6 School Arrangements.

(9) Negotiate interservice support agreements with the Military Departments in accordance with DoD Directive 4000.19.<sup>3</sup>

(10) Perform other functions as may be assigned by the ASD(FM&P).

(b) The Assistant Secretary of Defense (Force Management and Personnel) shall:

(1) Recommend policies and resources for the administration of the DoD section 6 Schools to the Secretary of Defense.

(2) Exercise direction, authority, and control over the Director, DoD section 6 Schools, through the Director of Education, in accordance with 32 CFR part 346.

(3) Issue, as necessary, DoD instructions, publications, and other guidance implementing this part.

(c) The Comptroller of the Department of Defense shall provide technical advice and assistance to the Director, DoD section 6 Schools, on budget and financial management activities of the DoD section 6 Schools.

(d) The General Counsel of the Department of Defense shall:

(1) Coordinate on guidance established by the Director, DoD section 6 Schools, for student eligibility for DoD section 6 School Arrangements.

(2) Provide legal advice on the implementation of this part.

<sup>1</sup>Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

<sup>2</sup>See footnote 1 to §345.5(a)(6).

<sup>3</sup>See footnote 1 to §345.5(a)(6).